



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitchell J. Bellucci and Richard A. Smith
Application No.: 10/660,102 Filed Date: September 10, 2003
Confirmation No. 6872 Group: 3763 Examiner: Not Assigned
For: Umbilical Cord Sampling System and Method

CERTIFICATE OF MAILING	
I Hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
on <u>1/30/04</u>	<u>Mary Anza</u>
Date	Signature
<u>MARY ANZA</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(More than 3 months after receipt of the International Search Report, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☒ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- ☒ Copies of the cited references which are not U.S. Patents or published U.S. Patent Applications are enclosed.
- ☐ In accordance with 37 C.F.R. § 1.98 (d), copies of cited references (*list reference not enclosed*) are not enclosed as these references were entered in earlier application, U.S. Application No. [], to which the present application claims priority under 35 U.S.C. 120. The earlier application contains copies of the cited references.
- ☐ If copies of references [*list references not enclosed*] would benefit the Examiner of this case, the Examiner is invited to call the undersigned attorney and copies will be forwarded immediately.
- ☐ Listed references [] were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account No. 50-1935 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account No. 50-1935.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By 

Roger E. Zimmerman

Date: January 30, 2004

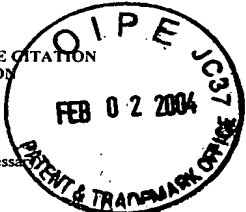
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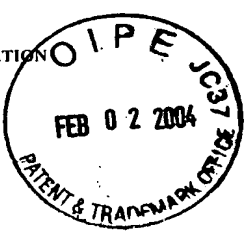
Direct tel.: (508) 416-2433

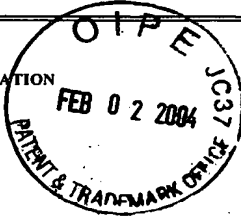
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PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION 1/27/04 (Use several sheets if necessary)						ATTORNEY DOCKET NO. 302490.3000-100		APPLICATION NO. 10/660,102	
				APPLICANT Mitchell J. Bellucci and Richard A. Smith					
				FILING DATE September 10, 2003		GROUP ART UNIT 3763			
U.S. PATENT DOCUMENTS									
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE		
	AA	4,413,628	Nov 8, 1983	Tamulis	128	635			
	AB	5,130,010	Jul 14, 1992	McNeal <i>et al.</i>	204	411			
	AC	5,190,556	Mar 2, 1993	Hessel	606	120			
	AD	5,294,311	Mar 15, 1994	McNeal <i>et al.</i>	204	153.1			
	AE	5,342,328	Aug 30, 1994	Grossman <i>et al.</i>	604	317			
	AF	5,372,581	Dec 13, 1994	Anderson	604	32			
	AG	5,415,665	May 16, 1995	Hessel <i>et al.</i>	606	120			
	AH	5,575,796	Nov 19 1996	King <i>et al.</i>	606	120			
	AI	5,690,646	Nov 25 1997	Gruenberg	606	120			
	AJ	5,860,989	Jan 19 1999	Webb	606	120			
	AK	5,879,318	Mar 9, 1999	Van Der Heiden <i>et al.</i>	604	6			
FOREIGN PATENT DOCUMENTS									
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO		
	AL	WO 98/08433	5 Mar 1998	PCT					
	AM	WO 00/73763 A2	7 Dec 2000	PCT					
	AN								
	AO								
	AP								
	AQ								
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)									
	AR	Meyers, Patricia A., <i>et al.</i> , "Clinical Validation of a Continuous Intravascular Neonatal Blood Gas Sensor Introduced Through an Umbilical Artery Catheter," <i>Respiratory Care</i> , 47(6): 682-687 (2002, June).							
	AS	Thorp, James A. and Rushing, R. Scott, "Umbilical Cord Blood Gas Analysis," <i>Obstetrics and Gynecology Clinics of North America</i> , 26(4): 695-709 (1999, December).							
	AT	Lauks, Imants R., "Microfabricated Biosensors and Microanalytical Systems for Blood Analysis," <i>Acc. Chem. Res.</i> , 31: 317-324 (1998).							
EXAMINER					DATE CONSIDERED				

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 302490.3000-100		APPLICATION NO. 10/660,102			
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U.S. PATENT DOCUMENTS							
EXAM- -NER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA2	5,916,202	Jun 29, 1999	Haswell	604	356	
	AB2	5,993,429	Nov 30, 1999	Kuypers <i>et al.</i>	604	317	
	AC2	6,059,794	May 9, 2000	Webb	606	120	
	AD2	6,102,871	Aug 15, 2000	Coe	600	575	
	AE2	6,179,819 B1	Jan 30, 2001	Haswell	604	356	
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AU	Loh, S.F. <i>et al.</i> , "Umbilical Cord Blood Gas Analysis at Delivery," <i>Singapore Medical Journal</i> [online], April 1998 [retrieved on 2002-6-20]. Retrieved from the Internet <URL: http://www.sma.org.sg/smj/3904/articles/3904a1.html >.					
	AV	Rozto, A. <i>et al.</i> , "The Contribution of Continual Fetal Oxygen Saturation (FSpO ₂) by Means of Intrapartum Fetal Pulse Oximetry (IFPO) to the Diagnosis of Acute Fetal Hypoxia," The Childbirth at the Individual Term with Use of the New Technology Conference [online], April 6, 2001 [retrieved on 2002-6-20]. Retrieved from the Internet <URL: http://www.cyf-kr.edu.pl/~mmklimek/rozt_ref.html >.					
	AW	Rusch, Terry L. <i>et al.</i> , "Blood Chemistry Measurement," <i>The Measurement, Instrumentation and Sensors Handbook</i> , Webster, J.G., et al., editor in chief, CRC Press, Boca Raton, FL, 1999 [retrieved on 2002-6-20] Retrieved from the Internet <URL: http://www.engnetbase.com >.					
	AX	Umbilicup.com [online] [retrieved on 2002-6-20]. Retrieved from the Internet <URL: http://www.umbilicup.com/ , http://www.umbilicup.com/html/products.html , http://www.umbilicup.com/html/umbilicup3.html , http://www.umbilicup.com/html/umbilicup2.html , http://www.umbilicup.com/html/umbilicupII1.html , http://www.umbilicup.com/html/umbilicupII2.html , http://www.umbilicup.com/html/tests.html , http://www.umbilicup.com/html/aboutus.html , and http://www.umbilicup.com/html/iinfo.html >.					
	AY	Cord Blood Collection System [online] [retrieved on 2002-6-20]. Retrieved from the Internet <URL: http://www.amlabsinc.com/questions.html , http://www.amlabsinc.com/easy.html , and http://www.amlabsinc.com/solution.html >.					
EXAMINER				DATE CONSIDERED			

PTO-1449 REPRODUCED				ATTORNEY DOCKET NO.		APPLICATION NO.	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION 1/27/04 (Use several sheets if necessary)				302490.3000-100		10/660,102	
APPLICANT				FILING DATE			
Mitchell J. Bellucci and Richard A. Smith				September 10, 2003			
				GROUP ART UNIT			
				3763			
U.S. PATENT DOCUMENTS							
EXAM- -NER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AF2	6,190,368 B1	Feb 20, 2001	Kuypers <i>et al.</i>	604	317	
	AG2	6,254,575 B1	Jul 3, 2001	Thorne, Jr. <i>et al.</i>	604	198	
	AH2	6,302,854 B1	Oct 16, 2001	Paderni	600	573	
	AI2	US 2001/0054429 A1		Witter	128	898	Dec 27 2001
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AZ	Ron Stoker, ISIPS – International Sharps Injury Prevention Society Press Release [online] April 24, 2002 [retrieved 2002-6-20]. Retrieved from the Internet <URL: http://www.isips.org/news.php?recent=PR >.					
	AR2	Intrapartum Continuous Monitors for Fetal Oxygen Saturation and Fetal pH, Submission Guidance for a PMA [online], Draft released 6/14/97 [retrieved 2002-6-20]. Retrieved from the Internet <URL: http://www.fda.gov/cdrh/ode.fetal.html >.					
	AS2	US FDA Approval Order and supporting material, including Information for Prescribers, for the Nellcor OxiFirst™ Fetal Oxygen Saturation Monitor, May 12, 2000.					
	AT2	US FDA Approval Order and supporting material, including Information for Prescribers, for the Corometrics Model 120 F-series Maternal/Fetal Monitor, February 9, 2001.					
EXAMINER				DATE CONSIDERED			